

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE**

Bryan Bernard
a.k.a. Joseph Vaillancourt

v.

Civil No. 06-cv-438-JD

New Hampshire Department of
Corrections, et al.

O R D E R

Before the Court is plaintiff's Petition for Injunction (document no. 250) filed in the above-captioned case. The petition seeks an injunction against defendants raising issues related to the practice of his faith as a Nazarite. Plaintiff bases his request for injunctive relief on allegations that he has been harassed, disciplined, and prevented from practicing his religion in violation of his First Amendment rights. Plaintiff's claims concern First Amendment issues not related to the claims in his underlying lawsuit. These claims cannot be introduced in this manner. Instead, if plaintiff wishes to seek relief for a violation of his constitutional rights that he has not previously raised, he must file a new action in this court by separate complaint. Accordingly, the petition for injunction is denied.

Bernard has filed, along with his petition, a \$100 bond, as he has been previously directed to do in this matter when filing a petition. The Clerk's office is directed to refund the bond to Bernard, as the petition filed is not facially frivolous, it is simply not appropriately filed in the instant case.

SO ORDERED.



James R. Muirhead
United States Magistrate Judge

Date: October 5, 2007

cc: Bryan Bernard, a.k.a. Joseph Vaillancourt, pro se
Nancy Smith, Esq.